

MINUTES

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN, DIVISION
Montgomery , Alabama

HON. Vanzetta Penn McPherson

DATE COMMENCED: 10/14/05

TAPE RECORDING: 9:30 a.m. - 10:10 a.m.

DATE COMPLETED: 10/14/05

Theodore Davis

*

2:05cv632-T

vs

*

Armstrong Relocation, Lln

*

PLAINTIFF

APPEARANCES:

DEFENDANT

Michael W. Rountree

*

C. Winston Sheehan, Jr.

*

Jeffrey Wilson Smith

*

Wallace Damon Mills

*

Judy B. Van Heest (Intervenor Dft)

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COURT OFFICIALS PRESENT:

Wanda A. Robinson, Courtroom Deputy

PROCEEDINGS:

() JURY TRIAL

(x) OTHER PROCEEDINGS: Scheduling Conference

SEE MINUTES ATTACHED

LOG OF PROCEEDINGS ELECTRONICALLY RECORDED			
Description		2:05cv632-T. Theodore Davis vs. Armstrong Relocation, LIn; Scheduling Conference	
Date	10/14/2005	Location	Courtroom 5A
Time	Speaker	Note	
9 :30:26 AM	Court	Court Convenes;	
9 :31:34 AM	Court	Determines spokesperson for Defendant;	
9 :32:16 AM	Defendant	Defendant addresses issue of claim of real property	
9 :34:05 AM	Plaintiff	Denial of Due Process claim addressed	
9 :38:44 AM	Defendant	Addresses an 1983 Claim in 8th Claim of Complaint	
9 :39:37 AM	Court	Questions Plaintiff regarding 1983 Claim	
9 :40:24 AM	Court	Questions Plaintiff Property asserted in complaint as personal rather than real property	
9 :41:55 AM	Plaintiff	1 Claim addressing Real Property	
9 :44:33 AM	Plaintiff	9th Claim should be dismissed	
9 :48:23 AM	Plaintiff	Word Robbery used for Conversion	
9 :49:00 AM	Plaintiff	Attorney has requested Listing of property with value from plaintiff asap	
9 :49:52 AM	Court	Brief 1983 Claim; Rule 41 Motion as to the 9th Claim by 10/28/05 (No response needed from Defendant); Brief Sole Federal Claim by 11/4/05; City of Montgomery response due by 11/18/05	
9 :55:32 AM	Dft City of Montg	Questions Plaintiff's 1985 Claim	
9 :57:24 AM	Court	Add 1985 Claim to brief; If Claim does not apply add to Rule 41; Address Supervisory Liability	
9 :59:46 AM	Plaintiff	States Police Officers named individually in Complaint	
10:00:35 AM	Plaintiff	7 Witnesses	
10:01:07 AM	Dft City of Montg	Mr. Watts is still employed with Police Department	
10:01:21 AM	Plaintiff	Plaintiff has Only filed a Notice as pertains to Administrative Proceedings to the City of Montgomery	
10:02:51 AM	Court	Trial August 7, 2006; Scheduling Order will issue	
10:03:55 AM	Court	Dec 2, 2005 Plaintiff should file list of property loss and value	
10:06:05 AM	Defendant	Addresses Real Property in 3rd claim for relief	
10:08:36 AM	Plaintiff	Will add 3rd Claim to Rule 41 Motion	
10:10:01 AM		Court in Recess	